

**REGULAR SESSION    RUSH COUNTY BOARD OF COMMISSIONERS    NOVEMBER 7, 2011**

The Rush County Board of Commissioners met in regular session, Monday, November 7, 2011 with Commissioners, Tom Barnes, Marvin Cole, Ken Masters, Deborah Adams, Auditor, and Leigh Morning, County Attorney in attendance.

Commissioner Tom Barnes called the meeting to order, Marvin Cole made the motion to approve the minutes of the October 24, 2011 meeting as presented. Ken Masters seconded the motion. Motion carried.

**HIGHWAY**

Jerry Sitton, Highway Superintendent, presented the October monthly report for the commissioners to review.

**SHERIFF**

Jeff Sherwood, Sheriff, was called away on an emergency. Sherwood had submitted an inmate report reflecting 39 inmates incarcerated in the Rush County jail.

**COURTHOUSE**

Tom Barnes provided an update on the replacement of north side courthouse steps. Barnes stated that a drain issue was discovered and will make the project go over cost. Barnes also reported that clean outs have been installed.

**MASTER GARDENERS**

It was reported that the Master Gardeners was awarded \$1,700.00 of the \$10,000.00 RCCF (Rush County Community Foundation) local funded grant. Tom Barnes reported that the local Veterans Group will assist the Master Gardeners by financing their area of the landscaping of the courthouse lawn. Marvin Cole made the motion to move forward and to welcome the finance assistance from the Veterans Association. Ken Masters seconded the motion. Motion carried.

**TREASURER**

Mary Ann Beard, Treasurer, reminded everyone that the property tax deadline is Thursday, November 10, 2011. Beard noted that payments are still being received by Main Source Bank.

**WEIGHT WATCHERS**

Mary Ann Beard asked the commissioners for permission to expand the weight watchers classes to include the public. The classes would be held following courthouse hours 4:00 to 5:00. Ken Masters made the motion to allow the classes to be open to the public. Marvin Cole seconded the motion. Motion carried.

## **E.C.D.C.**

Jim Finan, E.C.D.C. Executive Director, notified the commissioners of an EDA notice of unbinding \$1.6 million public funding grant available. The \$3.3 million project will require a 50% match from the City of Rushville. Finan stated that it is slotted as a 2012 project and will include infrastructure. The area is the eighty (80) acres owned by the City of Rushville in the North Industrial Park. It was noted that the TIF District bonds are being calculated to pay towards the 50% match from the City of Rushville.

## **LIVESTOCK/FOWL**

Discussion was held regarding the owning of livestock (fowl) on less than two (2) acres. Tom Barnes addressed what had been brought previously before the commissioners. Barnes stated that some property owners have two acres and desire to own more than two (2) fowl. Barnes also shared that he personally believed that the zoning rules are not written to address fowl as opposed to cattle. Barnes stated that he has received calls from all over the county regarding this subject matter.

- Melissa Branson – who lives on 1.5 acres in Ripley Twp., stated that she grows enough food for a one income Christian family. Branson has fifteen (15) hens and stressed that she wanted to go through the proper channels. Branson stated that she is not a manufacturer and her 1.5 acres should be considered to fall within cultural activities. Branson stated that her children are involved in such cultural educational activities as, 4-H and FFA. Branson asked that a committee be formed to address this matter.
- John Saxon – Homer – Stated that the Zoning Ordinances needs a broader sense to it. Saxon also commented that current advisor David Rogier should be set loose and replaced by a panel of citizens. Saxon informed the commissioners that the people here want them to correct the problem.
- Melissa Conrad – Milroy – Questioned the commissioners as to what is the right procedure if the public wants to enact a change.
- Commissioner Tom Barnes – Stated that he felt a public hearing would be in order.
- Commissioner Ken Masters – Stated that people with small acreage have rights to own fowl, but owning cattle is different. Masters stated that if living in a residential area in the city or a town are we opening the door in Foster Heights with Roosters crowing? Masters also shared that with tough economic times we are going to see more of this happening.
- Melissa Branson – Stated that the County Extension office is already looking at other counties regarding a possible ordinance for noise, sight, smell. Branson also noted that the fowl would also be cooped.
- Commissioner Barnes – finished by sharing that he has hopes that they will all come to the Area Plan. They should all be able to sit down and change. The Area Plan Board should be receptive to what was said today.
- Mellissa Branson – later in the meeting asked for a motion from the commissioners recommending that the Area Plan Commission hear the group's wishes regarding fowl and poultry. Ken Masters made the motion recommending the group of citizens to go

before the Area Plan Commission and to state their wishes. The Area Plan Commission hears their wishes regarding fowl and poultry. Marvin Cole seconded the motion. Motion carried.

### **E.I.D.D.**

Bob Bennett of E.I.D.D. approached the commissioners with a letter of support for of brownfield grant. Tom Barnes had several concerns with the regards of signing the letter of support.

Barnes asked for assistance to clean up already known brownfield areas. Barnes stressed that this is a lot of money for what we already know. Barnes questioned must we participate in Phase I to get to Phase II?

Bennett stated that Phase I identifies the brownfield, and that Phase II determines the level of contamination. A report is submitted to EPA and procedures are established.

Barnes stated that he hated to identify properties and then not have them to be benefited from grant dollars.

John Saxon questioned if this is grant dollars chasing grant dollars? The tax payer in the end is paying.

Barnes questioned if the level of contamination really matter if known buried tanks already exist? Barnes also questioned Bennett as to how many other counties have signed the endorsement letter? Bennett responded that Union, and Wayne have signed. Henry should sign during their meeting.

Ken Masters stated he has been President of EIDD for 3 years, shared their help and support of our area. Masters made the motion to sign the letter of support for Phase I and Phase II to identify Industrial brownfields.

The question was presented if this was best for our county or because two other counties were doing this?

John Saxon asked to go on record, stating that the voter and the tax payer should go on notice. Saxon asked the commissioners to not proceed further in this situation.

Marvin Cole questioned if the letter of support presented is signed must the county go through the outlined steps. Bennett explained that only the properties identified and if given a grant. Bennett estimated that twenty (20) properties will be processed in Phase I.

Ken Masters questioned if the commissioners were being short sighted if the county experienced storm damage or another tornado. Bennett responded that EIDD would not do that. Bennett shared that he agreed in principal with Tom Barnes and this would not change how EIDD and Rush County do business.

Marvin Cole questioned that if a problem is identified in Phase I will it be addressed? Bennett responded that Yes, only if Phase II grant dollars are still available. If not the property will have to go back again the following year.

Tom Barnes stated that he respected Ken Masters for being a team player. But, he did not want to sign the presented letter. Barnes would rather have the commissioners author their own letter.

Ken Masters's motion died for lack of a second. Leigh Morning will assist Tom Barnes with the preparation of the letter of support. Barnes explained to Bennett that he was not being disrespectful, and that the commissioners will have another letter prepared to be signed during their next meeting.

### **AUDITOR**

Deborah Adams, Auditor, received approval on payroll for the pay period ending November 11, 2011 on a motion by Ken Masters. Marvin Cole seconded the motion. Motion carried.

Bi-Weekly claims submitted for the period ending November 1, 2011 were approved on a motion by Marvin Cole. Ken Masters seconded the motion. Motion carried.

The Komputrol Disaster Recovery Agreement for 2012 was approved and signed on a motion by Marvin Cole. Ken Masters seconded the motion. Motion carried.

The Extension Contractual Services Agreement between Purdue University and Rush County for the 2012 year was approved and signed on a motion by Marvin Cole. Ken Masters seconded the motion. Motion carried. The contract is for the services of Kristie Amos and Gracie Marlatt.

Adams informed the commissioners that notice has been received from Gibault Children's Services – Henry County Youth Center that there will not be an automatic extension of the Agreement. The agreement will end December 31, 2011.

Adams reported that Janice Matney has contacted her regarding the parcel in Milroy. Matney wishes to proceed with the purchasing of the property. Leigh Morning stated that she has contacted two required appraisers Rusty Harmeyer and McQueen's.

A Surety bond was approved and signed for Deputy Clerk Tonya Muckerheide on a motion by Ken Masters. Marvin Cole seconded the motion. Motion carried.

A Surety bond was approved and signed for Deputy Clerk Diana Hoeing on a motion by Marvin Hoeing. Ken Masters seconded the motion. Motion carried.

**EMS**

EMS run reports were reviewed for Raleigh Fire Department and Rush Memorial Ambulance

**MISC.**

- John Norris of Clearview Christmas Tree Farm received permission to place a Christmas tree on the first floor of the courthouse. Ken Masters made the motion. Marvin Cole seconded the motion. Motion carried.

Motion to adjourn was received from Ken Masters. Marvin Cole seconded the motion. Motion carried.

<u>/s/Tom Barnes</u>	<u>/s/Marvin Cole</u>	<u>/s/Ken Masters</u>
Tom Barnes, Chairman	Marvin Cole	Ken Masters

ATTEST:

/s/Deborah C. Adams  
Deborah C. Adams, Auditor